



Environmental Fact Sheet

INTERIM FINAL RULE SUSPENDING APPLICATION OF THE TOXICITY CHARACTERISTIC FOR USED CHLOROFLUOROCARBON REFRIGERANTS BEING RECLAIMED

BACKGROUND

The Resource Conservation and Recovery Act (RCRA) requires that wastes identified as hazardous be managed and monitored from "cradle to grave." The federal regulations describe four characteristics that define a waste as hazardous: ignitibility, corrosivity, reactivity, and toxicity.

On March 29, 1990, EPA promulgated revisions to the toxicity characteristic (TC), adding 25 new organic constituents to the list of TC hazardous substances. Chloroform and carbon tetrachloride (CCl_4) are among the constituents. These constituents are present in some unused chlorofluorocarbon (CFC) refrigerants, and will remain in the refrigerants throughout their use. In certain cases, chloroform and carbon tetrachloride may be present at concentrations that will cause the used refrigerants to exhibit the TC.

Until recently, technicians vented used refrigerant gases during maintenance and repair work on refrigeration and air conditioning systems. However, used refrigerant recycling is gaining increased acceptance as an industry practice in light of new information regarding the potential effects of such venting on stratospheric ozone. Recent amendments to the Clean Air Act require a prohibition on venting certain chemicals, including some used as refrigerants. The prohibition will become effective July 1, 1992.

ACTION

EPA is concerned that regulating used refrigerants as hazardous wastes may create disincentives to reclaiming refrigerants and may increase venting. Therefore, EPA is suspending the hazardous waste regulations'

coverage of used CFC refrigerants if they are reclaimed for reuse. The exemption does not apply to refrigerants that are collected for disposal. At the same time, EPA is seeking public comment on the merits of this suspension.

CONCLUSION

EPA is promulgating this interim final rule to allow time to consider the human health and environmental impacts of regulating used CFC refrigerants as hazardous wastes. This rule exempts only those CFC refrigerants that are recycled, thereby providing additional incentives to service and maintenance technicians to reclaim CFC refrigerants for reuse, rather than disposing of them.

PUBLIC COMMENT

EPA is requesting public comment on this rule. Comments should be sent to EPA within 45 days of the publication date of the Federal Register notice. For instructions on submitting written comments, please see the Federal Register notice. It may be obtained at no charge by calling the RCRA Hotline or by visiting EPA's RCRA Docket in Washington, D.C.

FOR MORE INFORMATION

For further information, or to order a copy of the Federal Register notice, please call the RCRA Hotline Monday through Friday, 8:30 a.m. to 7:30 p.m. EST. The national toll-free number is (800) 424-9346; for the hearing impaired, it is (TDD) (800) 553-7672. In Washington, D.C., the number is (703) 920-9810 or TDD (703) 486-3323.